

Application No. 107069,879
Amendment dated January 12, 2004
Reply to Office Action of October 16, 2003

REMARKS

Claims 21-39 are pending in this application, with Claims 1 and 31 being independent.

Applicants gratefully acknowledge the indication that Claims 22-30 and 32-38 would be allowable, as noted in the last paragraph of page 3 of the Action. Applicants expressly reserve the right to re-present Claims 22 and 32 in independent form.

Claims 22-30 and 32-38 stand rejected under 35 U.S.C. § 112, second paragraph, and those claims also stand rejected under 35 U.S.C. § 102(b).

Section 112 Rejections

Claims 22-30 and 32-38 stand rejected under 35 U.S.C. § 112, second paragraph, for the reason stated at page 2 of the Action. Applicants have amended these claims, and as a result respectfully request reconsideration and withdrawal of the Section 112 rejection.

Section 102 Rejections

Claims 21, 31 and 39 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by German Patent No. 41 03 685 (Korff, et al.). The reason for this rejection is set forth at page 3, paragraph 6 of the Action. Applicants traverse this rejection.

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The present invention as defined by Claim 21 is a process for attaching an oil sump to an engine block of a combustion engine, a seal being made by a curable composition between a first sealing surface on the oil sump and a second sealing surface on the engine block, to which the curable composition is applied to one or both sealing surfaces. When cured, the curable composition demonstrates adhesion sufficient to secure the oil sump to the engine block. In addition, threaded bolts are not used as fastening elements for attaching an oil sump to an engine block of a combustion engine. And the oil sump is fixed to the engine block at least during the curing of the curable composition.

Claim 31 defines the present invention as a combustion engine comprising an engine block and an oil sump attached thereto. The oil sump is attached to the engine block with a curable composition whose adhesion when cured is sufficient to secure the oil sump to the engine block.

And Claim 39 defines the present invention as a flange connection with two flange elements between which a seal is made from the cured product of a curable silicone composition. Threaded bolts are not used as connecting elements for the flange connection.

Korff, et al. appears to be directed to a process for reducing the vibration and noise issues associated with the

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attachment of an oil pan to a crank case during use. More specifically, reference to Figures 1 and 2 of Korff, et al. shows that an oil pan two is attached to an intermediate part 3 and 6 (in Figure 1) and 2 (in Figure 2) by way of a flexible adhesive. This pre-assembled structure is then attached to a crank case 1 through the use of the bolt 7.

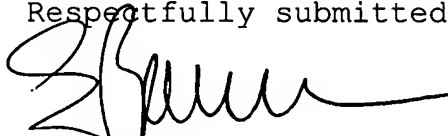
Thus, in contrast to the present invention, bolts are indeed it used to attach the oil pan to the crank case in Korff, et al. Moreover, the heat to which simply attaches the intermediate part to the oil pan is described loosely as a flexible adhesive. No mention is made as to the type of adhesive, or the material from which the adhesive is prepared. Again, Applicants recite that the curable composition used in the present invention is a silicone.

Having addressed all outstanding matters, Applicants respectfully request reconsideration and withdrawal of all rejections, and prompt passage to issue of the subject application.

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